IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.616 of 2006

Basvanappa Malikarjun Bharamshetti.. Appellant

versus

Ashok Vinayak Patki & ors. .. Respondents

...

Mr.V.B. Naik for the appellant.

Mr.S.U. Dhakephalkar for the respondent nos.1 to 4.

CORAM : D.G. KARNIK, J

DATED : 24th August 2006.

P.C.:

1. Heard learned counsel for the appellant.

2. This appeal is directed against the order dated 14th July 2006 passed by the Civil Judge, Sr.Division Solapur restraining the appellants from disturbing joint possession of respondent nos.1 to 4.

3. The appellants are purchasers of an undivided

share of respondent nos.5 to 7 in the joint family property of which the respondent nos.1 to 8 are the members. Respondent nos.1,2,3 and 4 who are the coparcerners have not executed the sale deed. They filed a suit for an injunction restraining the appellants from disturbing their possession of the suit property until the appellants obtained a decree for partition and separate possession in accordance with law. The trial Judge has granted the injunction. I find no error in the order of injunction passed by the trial court.

3. Hence, this appeal is dismissed summarily.

(D.G. KARNIK, J)

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